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Security Council

Sixty-third year

Provisional

5839th meeting

Monday, 18 February 2008, 3 p.m.

New York

President:	Mr. Arias	(Panama)
Members:	Belgium	Mr. Verbeke
	Burkina Faso	Mr. Kafando
	China	Mr. Wang Guangya
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Russian Federation	Mr. Churkin
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Le Luong Minh

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 17 February 2008 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2008/103)

Letter dated 17 February 2008 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2008/104)

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08-24256 (E)

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 17 February 2008 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2008/103)

Letter dated 17 February 2008 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2008/104)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of Serbia, in which he requests that the President of the Republic of Serbia be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite the President of the Republic of Serbia to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

Mr. Boris Tadić, President of the Republic of Serbia, was escorted to a seat at the Council table.

The President (*spoke in Spanish*): On behalf of the Security Council, I extend a warm welcome to His Excellency Mr. Boris Tadić, President of the Republic of Serbia.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

The Council is meeting in response to the requests contained in the letters dated 17 February 2008 from the Permanent Representative of Serbia to the United Nations, contained in document S/2008/103, and from the Permanent Representative of the Russian Federation to the United Nations, contained in document S/2008/104.

I should like to draw the attention of the members of the Council to photocopies of a letter dated 18 February 2008 from the Secretary-General, transmitting a letter from the European Union High Representative for the Common Foreign and Security Policy, which will be issued as document S/2008/106.

I should also like to draw the attention of members to photocopies of a letter dated 18 February 2008 from the Permanent Representative of Slovenia, transmitting the conclusions of the Council of the European Union, which will be published as document S/2008/105.

I welcome the presence at this meeting of the Secretary-General, His Excellency Mr. Ban Ki-moon, and I invite him to take the floor.

The Secretary-General: I thank you, Mr. President, for this opportunity to bring to the Security Council's attention recent developments in Kosovo. I would like to start, Sir, by joining you in extending a welcome to His Excellency Mr. Boris Tadić, President of the Republic of Serbia.

Yesterday, my Special Representative for Kosovo informed me that the Assembly of Kosovo's Provisional Institutions of Self-Government held a session during which it adopted a declaration of independence, which declares Kosovo an independent and sovereign State. All of the 109 deputies present voted in favour of that declaration. The 10 Kosovo Serb deputies of the Kosovo Assembly did not attend the session. The declaration states that Kosovo fully accepts the obligations contained in the comprehensive proposal for a Kosovo status settlement prepared by my Special Envoy, Marti Ahtisaari. In his address to the Assembly, Prime Minister Thaçi stated that there would be equal opportunities for all of Kosovo's inhabitants and that any discriminatory practices against members of any of Kosovo's communities would be eliminated. The declaration pledges continued adherence to resolution 1244 (1999), commits Kosovo to continue to work constructively with the United Nations and expresses gratitude to the United Nations for what it has done for Kosovo.

In much of Kosovo, there have been peaceful celebrations by tens of thousands welcoming the declaration. Today, in northern Mitrovica, up to 9,000

people peacefully protested against the declaration of independence. The Kosovo Police Service, including Kosovo Serb members, provided security.

The situation has remained calm throughout Kosovo. Two incidents of note have occurred in northern Kosovo. In northern Mitrovica yesterday, a hand grenade exploded near a court building of the United Nations Interim Administration Mission in Kosovo (UNMIK), causing damage to UNMIK and Kosovo Police Service vehicles. Later in the day, two UNMIK police vehicles were damaged by grenades in the town of Zubin Potok in northern Kosovo. No injuries were reported in either incident. Visits by Serbian Government officials, including the Serbian Minister for Kosovo, Mr. Samardzic, took place throughout the day in a number of locations throughout Kosovo without incident and were facilitated by UNMIK.

Yesterday, I received a letter from the President of the Republic of Serbia informing me that the Republic of Serbia has adopted a decision stating that the declaration of independence by Kosovo represents a forceful and unilateral secession of a part of the territory of the Republic of Serbia, and does not produce any legal effect, either in the Republic of Serbia or in the international legal order.

Today I have received a letter from Mr. Javier Solana, the European Union High Representative for the Common Foreign and Security Policy, informing me of the decision by the European Union to deploy a rule of law mission within the framework provided by resolution 1244 (1999) and to appoint a European Union Special Representative for Kosovo, who will, among other functions, coordinate the work of the European Union in Kosovo. In his letter, Mr. Solana indicates that he will continue to keep me regularly informed about the implementation of these decisions, so that I can discharge my responsibilities under resolution 1244 (1999), and with the goal of ensuring close cooperation with UNMIK.

It is my view that these recent developments are likely to have significant operational implications for UNMIK. Pending guidance from the Security Council, UNMIK will continue to consider Council resolution 1244 (1999) as the legal framework for its mandate and will continue to implement its mandate in the light of the evolving circumstances. I have instructed my Special Representative to continue to report to me on the situation on the ground, so that the Security Council can be fully apprised of any further developments accordingly.

It is my intention to act in an effective, realistic and concrete manner. In doing so, pending Security Council guidance, I might have to adjust to developments and changes on the ground. My efforts, and those of my Special Representative for Kosovo, are aimed at ensuring that the political and security situation in Kosovo remains stable and that the population of Kosovo, and in particular the minority communities, are protected. In that connection, I urge all to reaffirm and act upon their commitment to refrain from any actions or statements that could endanger peace, incite violence or jeopardize security in Kosovo and the region.

During the early emergency phase in 1999, the United Nations facilitated the return of hundreds of thousands of refugees and internally displaced persons to Kosovo, coordinated a massive effort to reconstruct damaged or destroyed housing and infrastructure, and provided basic services to the population.

The United Nations has been instrumental in moving Kosovo away from the humanitarian and emergency phase to peace consolidation and the establishment of functional local self-government and administration. Since 1999, the United Nations has overseen the creation and consolidation of Provisional Institutions of Self-Government at the central and municipal levels, with minority representation. The United Nations has created a functional justice system and a multi-ethnic police force, and has successfully organized and overseen five elections. Kosovo now has a vibrant and diversified political party scene. Freedom of movement has improved, and inter-ethnic crimes have been reduced. Kosovo has made considerable progress through the years on the implementation of standards, and the standards implementation process is now fully integrated into the European approximation process.

My overriding objective in addressing the situation in Kosovo is to uphold international peace and security, while ensuring Kosovo's overall stability and the safety and security of its population. In doing so, my efforts will continue to be aimed at safeguarding and consolidating the significant achievements and the legacy of the United Nations in Kosovo and the Balkans.

The President (*spoke in Spanish*): I thank the Secretary-General for his important statement.

I now call on His Excellency Mr. Boris Tadić, President of the Republic of Serbia.

President Tadić (Serbia) (*spoke in Serbian; English text provided by the delegation*): The Provisional Institutions of Self-Government of the southern Serbian province of Kosovo and Metohija, under interim United Nations administration, unilaterally and illegally declared their independence on Sunday, 17 February. This illegal declaration of independence by the Kosovo Albanians constitutes a flagrant violation of Security Council resolution 1244 (1999), which reaffirms the sovereignty and territorial integrity of the Republic of Serbia, including Kosovo and Metohija. Serbia, let me recall, is a founding State Member of the United Nations.

If a small, peace-loving and democratic country in Europe that is a United Nations Member State can be deprived of its territory illegally and against its will, a historic injustice will have occurred, because a legitimate democracy has never before been punished in that way.

The Serbian State was born in Kosovo, and it represents the central part of our identity. I shall be frank with the Council: this is a situation in which a peace-loving country where a proud and European people lives is having a part of its identity, tradition and history snatched away. This act annuls international law, tramples upon justice and enthrones injustice.

The representatives of some countries present at this table keep telling us openly that Slobodan Milosevic is the culprit behind the situation in Kosovo and that it is because of his mistakes that it is being granted independence. Let me tell them that today is 19 February 2008, that Slobodan Milosevic is no longer there and that in 1999, when he was in power in Serbia, Kosovo was not granted independence.

Here, I wish to recall before this United Nations body that the Albanians demanded independence and worked actively for secession from Serbia for decades, even before Slobodan Milosevic. With the Council's permission, I shall also recall that it was in the very same year, 1999, that the citizens of Serbia were unjustly and severely punished by three months of bombing. Eight years later, a now democratic and peace-loving Serbia is once again being punished, by being deprived of a part of its territory. Indeed, that kind of logic and that kind of justice are impossible to explain or comprehend.

Independence is being granted to an ethnic community in our province that has been administered by the United Nations and the Kosovo Provisional Institutions of Self-Government for eight years now. In all those years, they have done nothing to enable the remaining Serbs and other non-Albanians to live lives worthy of human dignity. Independence is being conferred on those who, at the beginning of the twenty-first century, created Serbian ghettos in Europe — ghettos girdled with barbed wire and surrounded with cannon barrels and soldiers armed to the teeth. A reward is being bestowed on those who have taken part in the segregation of Serbs and who deny them freedom of movement and force them to live in darkness and in constant fear for their lives.

Since 1999, 250,000 Serbs and other non-Albanians have been expelled from Kosovo. In mid-March 2004, militant and extremist members of the Albanian community in Kosovo burned 35 churches and monasteries and 800 houses in only three days, while another 5,000 Serbs and other non-Albanians fled their homes. Is the independence of Kosovo a just reward for all the things that I have enumerated?

Another argument that has been invoked in favour of granting independence to the Albanians has been the contention that they would otherwise resort to violence. Whoever may support Kosovo's independence must realize that this act legalizes the threat of violence as a means of creating new States and promoting one's own political agendas and interests.

If the members of the Security Council allow this illegal act to stand, they will demonstrate that right and justice can be disrespected in the world. They will demonstrate that, unfortunately, this body of the world Organization is losing its authority.

After this act, the world will no longer be the same. Serbia, a European State, will continue to fight for law and justice in a dignified, peaceful and civilized way in such a world as well. We shall never give up our legitimate interests and shall continue our peaceful and diplomatic struggle in pursuit of our legitimate European perspective.

All United Nations Member States are represented in this building. A large number of countries all over the world are plagued by problems similar to Serbia's. Imagine, members of the Council, that you were in my place: that of the President of a country which is being deprived of a part of its territory against its will. How would you feel, and how would you respond? I am asking this question because if you turn a blind eye to this illegal act, who guarantees to you that parts of your own countries will not declare independence in the same illegal way? Who can guarantee to you that a blind eye will not be turned to the violation of the Charter of the United Nations, which guarantees the sovereignty and integrity of each State, when your country's turn comes?

The question before the Council is this: Are we all aware of the precedent that is being set, and are we aware of the catastrophic consequences that it may lead to?

The Security Council and all United Nations Member States are bound by Chapter VII of the Charter of the United Nations to respect the sovereignty and territorial integrity of the Republic of Serbia. This is provided for by Security Council resolution 1244 (1999), and Serbia, as a sovereign country, requests that the Security Council abide by international law, the principles of international justice, the principles enshrined in the Charter of the United Nations and the provisions of the Council's resolution.

The Republic of Serbia will not accept the violation of its sovereignty and territorial integrity. The Government of Serbia and the National Assembly of the Republic of Serbia have declared the decision of the Pristina authorities null and void. Likewise, we are taking all diplomatic and political measures to prevent the secession of a part of our territory. As a responsible member of the international community committed to the peaceful and negotiated settlement of disputes, the Republic of Serbia will not resort to force. No crisis has ever been resolved successfully by force. Only human lives are destroyed by force.

On the other hand, this arbitrary decision represents a precedent which will cause irreparable damage to the international order. The unilateral and illegal declaration of the independence of Kosovo runs afoul of the first principle of the Charter of the United Nations — the sovereign equality of all Member States — in the most direct way.

I repeat: there are dozens of other Kosovos in the world, and all of them are lying in wait for Kosovo's act of secession to become a reality and to be established as an acceptable norm. I warn Council members most seriously of the danger of the escalation of many existing conflicts, the flaring up of frozen conflicts and the instigation of new ones.

My country requests that the Security Council take effective measures in order to ensure that all the provisions of the Charter of the United Nations and of Council resolution 1244 (1999) are fully respected.

We request the Secretary-General, Mr. Ban Ki-moon, to issue, in pursuance of the previous decisions of the Security Council, including resolution 1244 (1999), a clear and unequivocal instruction to his Special Representative for Kosovo, Joachim Rücker, to use his powers within the shortest possible period of time and declare the unilateral and illegal act of the secession of Kosovo from the Republic of Serbia null and void. We also request that Special Representative Rücker dissolve the Kosovo Assembly, because it declared independence contrary to Security Council resolution 1244 (1999). The Special Representative has binding powers, and they have been used before. I request that he use them again.

Pursuant to paragraph 9 of Security Council resolution 1244 (1999), the international security presence in Kosovo, KFOR, must remain status-neutral. It is responsible for the protection of the lives and property of the Serbs and of all other non-Albanian communities in the province. KFOR must show special care for the most vulnerable, for the Kosovo Serbs, as well as for the clergy of the Serbian Orthodox Church and our churches and monasteries, some of which have been placed on UNESCO's list of world heritage in danger. These holy places are the crucibles of Serbian identity, tradition and history. The Republic of Serbia wishes to believe that KFOR is capable of preventing all violence against the Serbian population and the "cleansing" of our religious heritage.

At this moment, we are faced with the challenge of a unilateral declaration of independence and the decision of some countries to recognize the illegal establishment of a State on the territory of a sovereign State. This will, let me reiterate, have unfathomable consequences. I consider that such a decision legalizes the ethnic cleansing carried out against the Serbs in 1999 after the arrival of KFOR and UNMIK in Kosovo

and Metohija. The States that recognize the independence of this Serbian province would, by such an act, bear responsibility for a possible new ethnic cleansing campaign directed against Serbs remaining in Kosovo and Metohija.

All the Albanians who were in Kosovo in 1999 are there today. But 250,000 Serbs who lived in Kosovo prior to 1999 do not live in their homes anymore; they live in refugee camps in central Serbia. How many Serbs will return to their homes in Kosovo and Metohija if it becomes independent? Are Council members aware that this illegal decision sends them a message not to return because they are not wanted there?

I believe in regional peace and stability. I believe that long-lasting peace and stability can be achieved only by negotiations and compromise solutions. I am convinced that only a peaceful and stable Balkans can bring economic prosperity to all its citizens. Unilateral decisions like the one taken in Pristina cannot contribute to a legitimate solution and do not favour that perspective of regional peace and security. We all must understand this, and we must invest additional efforts to bring about a legitimate solution.

I would like to point out once again that Serbia threatens violence to no one. On the contrary, our strength is in the pursuit of the policy of peace. Our strength is in the powerful arguments by which we fight for right and justice. At this moment, historically important for Serbia, our strength is in our resolve to embrace and protect the life of each and every man and woman and to preserve our integrity, as well as the integrity of all other countries. Our strength is in our determination to preserve the stability and dignity of our country and the prospects of the region in which we live. We owe this to ourselves, as well as to the generations that are yet to be born. All peoples of the Balkans need peace, stability and development. All our children need it, and we must achieve it.

Here, in the Security Council of the United Nations, I say clearly and unequivocally: Serbia will never recognize the independence of Kosovo. We shall never renounce Kosovo, and we shall not give up the struggle for our legitimate interests. For the citizens of Serbia and its institutions, Kosovo will forever remain a part of Serbia.

The President (*spoke in Spanish*): I thank His Excellency President Tadić for his important statement.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The Russian Federation has supported the Republic of Serbia's request to convene an emergency Security Council meeting. We fully understand the reaction of President Tadić and the Serbian leadership to the Kosovo developments, and we support Belgrade's legitimate demands to restore the territorial integrity of the country.

The Russian Federation continues to recognize the Republic of Serbia within its internationally recognized borders. The 17 February declaration by the local assembly of the Serbian province of Kosovo is a blatant breach of the norms and principles of international law — above all of the Charter of the United Nations — which undermines the foundations of the system of international relations. That illegal act is an open violation of the Republic of Serbia's sovereignty, the high-level Contact Group accords, Kosovo's Constitutional Framework, Security Council resolution 1244 (1999) — which is the basic document for the Kosovo settlement — and other relevant decisions of the Security Council.

The unilateral declaration of independence and its recognition are incompatible with the provisions of the Helsinki Final Act, which clearly specify the principles of inviolability of frontiers and territorial integrity of States. The provisions allow changes to State frontiers only in accordance with international law and by peaceful means and by agreement.

The situation developing as a result of the illegal steps of the province's leadership poses a threat to peace and security in the Balkans.

We believe that resolution 1244 (1999) remains fully in force and that in accordance with it the Secretary-General's Special Representative and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK) must continue to carry out functions and responsibilities of the provisional administration of Kosovo assigned to the Mission, not least of all the implementation in the province of the democratic standards approved by the international community.

We insist that the international presences in Kosovo, in order to implement their mandates under resolution 1244 (1999), must take immediate steps to bring the situation in Kosovo back to what existed prior to the illegal act of the province's Provisional Institutions of Self-Government. We reaffirm our

demand that the Secretary-General's Representative and Head of UNMIK declare the unilateral declaration of independence by the Kosovo Albanian leadership null and void in accordance with his mandate under resolution 1244 (1999) and prerogatives arising from the Kosovo Constitutional Framework for Provisional Self-Government, and in order to prevent negative consequences.

The Kosovo Force (KFOR) functioning in Kosovo under the aegis of the United Nations must comply strictly with their mandate in accordance with resolution 1244 (1999), on the basis of which KFOR must assist UNMIK and the parties to implement — but not to breach — that resolution. KFOR, together with the United Nations Civilian Police, bears the primary responsibility for preventing and stopping violence in the province and for ensuring security of the population and the international personnel.

We are particularly concerned about the situation in the Serb municipalities in Kosovo, above all in northern Mitroviça. We regard as categorically inadmissible and illegal any attempts by the international presences to take, in violation of their mandates under resolution 1244 (1999), repressive measures against non-Albanian minorities and their leaders in case of their expected non-compliance with the process of this Serbian province becoming sovereign. We address this warning also to the Provisional Institutions of Self-Government in Kosovo.

The European Union's so-called Rule of Law Mission has been launched without the necessary decision of the Security Council. The parameters of the EU mission in Kosovo, above all from the viewpoint of the mandate given to it in Brussels, do not agree with the provisions of resolution 1244 (1999) and the Council's subsequent decisions on functions and composition, including modalities on the distribution of contributions among United Nations partners and, most importantly, on the mandate of the international civil presence in Kosovo.

The Security Council has not authorized the launching of this operation. Nor can EU mission be part of the international civil presence as defined in resolution 1244 (1999), since, according to paragraph 1 of the Secretary-General's report in document S/1999/672, UNMIK covers all of the space allocated by this resolution to the international civil presence.

The illegal acts of the Kosovo Albanian leadership and of those who support them set a dangerous precedent. They raise the risk of an escalation of tension and inter-ethnic violence in the province and destructive consequences for international relations that took decades to build. Russia firmly believes that a durable and sustainable solution to the Kosovo status issue can be achieved only on the basis of a decision to be worked out with the United Nations Security Council taking the leading role, a decision that would fully comply with the norms of international law and be based on agreements between Belgrade and Pristina.

We hope that with regard to Kosovo affairs a legal, not a unilateral, solution will prevail. We are convinced that all United Nations Member States that cherish their own territorial integrity are interested in the same thing.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese Government is gravely concerned over the unilateral declaration of independence by Kosovo on 17 February 2008. As we speak, the whole international community is closely watching the reaction of the United Nations. China supports the proposal by Serbia and Russia to convene an emergency meeting of the Security Council and hopes that members will engage in serious discussion and respond in a responsible manner.

The question of the status of Kosovo is extremely complicated and sensitive. It not just is an emotional issue for the Kosovo Albanians and Kosovo Serbs; it also bears on the peace, security and stability of the Balkan region and even Europe at large. China always stands for peaceful resolution of disputes through political and diplomatic means and supports a negotiated and proper settlement of the issue of Kosovo's status. China opposes unilateral action and objects to solutions imposed by pressure. China has always maintained that the best way to resolve the issue of Kosovo's status is for the two parties concerned to reach a mutually acceptable solution through negotiations. That should be the common goal of all the parties concerned.

Last year, under the auspices of the international contact group the Troika — Serbia and Kosovo held several rounds of direct negotiations on the status issue. It is true that no substantive breakthrough was achieved during months of negotiations. Nevertheless,

if negotiations are to be fruitful and successful, all participating parties need to show sincerity and flexibility, rather than giving up and even shutting the door of negotiations because of their differences. China believes that — rather than doing any good for the settlement of ethnic conflicts, achieving a multi-ethnic society and the maintenance of peace, stability and development in the former Yugoslavia — the unilateral action by Kosovo may rekindle conflicts and turbulence in the region, which in turn would cause serious humanitarian crisis and adversely impact the entire Balkan region and beyond. China is deeply concerned over this.

Safeguarding sovereignty and territorial integrity is one of the cardinal principles of contemporary international law, as enshrined in the Charter of the United Nations. The issue of Kosovo's status does indeed have its special nature. Nevertheless, to terminate negotiations, give up pursuit of a solution acceptable to both parties and replace such efforts with unilateral actions will certainly constitute a serious challenge to the fundamental principles of international law. Together with other countries concerned, we express our serious concern over this matter. We call on all relevant parties to take full account of the complexity and sensitivity of the issue of Kosovo's status and make a sober assessment of the potential adverse implications of this unilateral action for peace and stability in the region, act with maximum prudence and do their utmost to preserve peace, security and stability there.

Security Council resolution 1244 (1999) remains the political and legal basis for the settlement of the Kosovo issue. Prior to the adoption of any new resolution by the Council, all efforts and actions for the settlement of this issue should conform to the relevant provisions of resolution 1244 (1999). If a resolution adopted by the Security Council is not observed and implemented, the resolution in question becomes a mere scrap of paper; what is more, the authority and credibility of the Security Council as the primary organ for safeguarding world peace and security would be compromised. This is not only a concern of China, but also one of the international community. The Chinese Government therefore hopes that all members will show a responsible attitude and consider and address this issue seriously and prudently.

China agrees that the future of both Serbia and Kosovo lies in their eventual integration into Europe and appreciates the desire of the European Union (EU) to play an active role on the Kosovo issue. China hopes that the EU will take into account not only the interests of Serbia and Kosovo, but also the concerns of other countries in the region. More important, it needs to pay attention to and uphold the authority and role of the Security Council in resolving the Kosovo issue. We hope that the EU will make greater efforts to reconcile the positions of Serbia and Kosovo, urge the two parties to continue their dialogue and encourage them to find a way out in the process of seeking integration into Europe.

China sincerely hopes that all parties concerned will keep in mind the long-term interests of peace and security in the Balkan region, Europe and the world at large, and conduct candid negotiations and discussions for a constructive solution to the issue of Kosovo's status. The Security Council and the international community should encourage Serbia and Kosovo to continue their pursuit of a mutually acceptable solution through political and diplomatic means.

Mr. Verbeke (Belgium) (*spoke in French*): Allow me first to welcome the presence of the President of Serbia among us today, as well as that of the Secretary-General.

Today, the Security Council is considering, once again, the question of the status of Kosovo. In October 2005, the Council supported the Secretary-General's proposal to initiate a political process that was to produce a definition of Kosovo's future status, as envisioned in resolution 1244 (1999). It was a process in which the international community, including the Council, were widely involved and a process that neither of the two parties could block unilaterally, as the ministers of the Contact Group emphasized on 20 September 2007. Despite the engagement of the two parties, Serbia and Kosovo, the Security Council and the international community as a whole, a negotiated solution could not be found. We regret this, but we cannot ignore the reality on the ground: the Kosovar authorities have declared independence in keeping with the will of a broad majority of the population of Kosovo.

Belgium will recognize Kosovo. The legal process is under way. For Belgium, this independence effectively and finally sets out the necessary conditions for a lasting peace and for stability and prosperity for the entire region and its inhabitants, regardless of

ethnic origin or nationality. It is within that essential framework that Kosovo's declaration calls into being a democratic, secular, multi-ethnic society fully respectful of the rights of all minorities.

Belgium's position on this matter is well known, and we have described it many times. However, on this, the day after the declaration of independence, I would like to recall several essential points. A year ago, the Special Envoy of the Secretary-General, Martti Ahtisaari, presented us with his report and his recommendations. His conclusion — independence, supervised by the international community — was supported by a very wide range of the members of the international community, including the Secretary-General and the European Union (EU). Belgium has always felt that the Ahtisaari plan was the only realistic and viable option. Belgium is gratified at the commitment expressed by the Kosovar authorities to implement the provisions of the Ahtisaari plan, inter alia, by the Kosovo Assembly's adoption of the so-called Ahtisaari laws in the days to come. Independence is not only a privilege; it is first and foremost a responsibility.

In recent days the European Union has taken important decisions, in full conformity with resolution 1244 (1999). These unambiguously show that the EU itself is ready to shoulder its responsibilities and work alongside the Kosovar authorities on their important commitments towards the international community. The new European Union Rule of Law Mission in Kosovo (EULEX) is concrete testament to that.

Europe's commitment is not restricted to Kosovo. I would like to avail myself of President Tadić's presence to reaffirm once again the Belgian and European position that the future of Serbia and the Western Balkans in general lies within, and not outside, the European Union. A strong and prosperous Serbia, fully integrated into the family of European nations, will contribute to stability and prosperity in the entire region. This morning European ministers met in Brussels and reaffirmed this position. We encourage Belgrade to resolutely opt for a European future.

Kosovo's independence is situated within a historical context that no one can ignore: the disintegration of Yugoslavia, which led to the creation of new independent States. The independence of Kosovo is part of this framework and can thus in no way be considered to set a precedent.

Finally, it is important that Belgrade and Pristina develop a strong relationship as good neighbours based on cooperation, which will enable them to jointly bring about the European perspective that is unquestionably theirs. It is important in that context that in the short term no provocation or act of violence jeopardize the possibility of attaining that goal.

Kosovo's independence under international supervision, proposed a year ago by former Special Envoy Ahtisaari, is now a reality. We are convinced that its offers the best prospect for peace, stability and prosperity in the region. All of us must now contribute to achieving that peaceful objective.

Mr. Mantovani (Italy): First of all, allow me to express our warmest welcome to the President of Serbia, His Excellency Mr. Boris Tadić, to the Foreign Minister of Serbia, His Excellency Mr. Vuk Jeremić, and to the Secretary-General, Ban Ki-moon.

We certainly cannot say that yesterday's declaration of independence by the Kosovo Assembly has caught any one of us unprepared. As we already pointed out during last Thursday's debate, there has been a growing perception that momentum was building on the Kosovo future status issue. That momentum is the result of long and intensive efforts by the international community, through which we had hoped to bridge the differences between the two parties directly involved in this issue.

We have strongly supported the extensive negotiations that have taken place under the aegis of the Special Envoy of the Secretary-General, President Ahtisaari, and later by the Troika. As the European Union representative on the Troika, Ambassador Ischinger, has assured us, no stone has been left unturned. A continuation of negotiations would not make sense, because it would prove useless, as all avenues for reaching an agreement between the two parties have been explored. Nothing leads us to believe that a few more months — or, more likely, a few more years — of talks would allow us to reach a shared solution. Unfortunately, the potential for reaching a negotiated solution has been exhausted.

We have often expressed our concern over the unsustainability of an unresolved situation and over the heightened security risks that a prolonged status quo could cause. As Italy already stated here in this Chamber during last December's debate on the Contact Group Troika report, there is a profound contradiction

between calling for further negotiations among the parties and assuming that the status quo in Kosovo is no longer sustainable, as has been repeatedly underscored here at the United Nations and in other relevant multilateral forums. Growing uncertainties affect both the local population and the international presences on the ground. Clarity on the future status of Kosovo is needed for the benefit of all. We must now move on to a new phase.

We deeply regret the failure to secure a mutually agreed outcome, and we also deeply regret that the Security Council cannot agree on a way forward. We have long argued, and we continue to believe, that if the status quo remains unsustainable, with no room for a negotiated solution, the United Nations Special Envoy's proposal for Kosovo's internationally supervised independence is the only viable option to deliver stability and security in Kosovo and in the region as a whole.

Kosovo's independence is today a fact. It is a new reality that we must face and acknowledge. It is time to look ahead. We intend, together with the majority of the European Union member States, to proceed swiftly with the recognition of Kosovo's new status of independence under international supervision. The limits of its sovereignty are clear. The presence of the international community on the ground is strong, while its role will be intrusive in all of the more delicate and significant sectors, especially when facing any real but manageable risks for regional stability.

Italy will do its part by continuing to endeavour for the development of a European perspective, which is becoming more and more tangible, both for Belgrade and for Pristina. The inevitable tension between Serbia and Kosovo can be assuaged only within the framework of a credible process of integration of both parties into the European Union structures.

We will also continue our endeavours to reach an agreement between Serbia and Kosovo that can mend their torn relations and put them back on the track of cooperation. We will continue to make our determined contribution through the participation of our men in the European Union and NATO missions aimed at maintaining regional stability, an issue that is directly connected with Italy's national security.

The European Union's future role in Kosovo is part of a strategic commitment to the region aimed at promoting stability and reinforcing a European perspective for all countries of the Western Balkans. We must move on to a stage in which the European Union takes up an extensive share of responsibility in the administration of the territory. For more than one and a half years, a planning team has been operating on the ground to prepare the European Union Rule of Law Mission in Kosovo (EULEX Kosovo). It has been working closely with the United Nations Interim Administration Mission in Kosovo (UNMIK) and other international players. We acknowledge the excellent cooperation established with the United Nations throughout this period. Significantly, the European Security and Defence Policy mission is going to be the largest international operation ever carried out by the European Union.

We must also consider that the strong and decisive role assigned to the EULEX Kosovo mission, recently approved by the European Union, is a central aspect of a complex international administrative arrangement designed for Kosovo. It has been carefully moulded in accordance with the provisions set forth by the Secretary-General's status Envoy in the comprehensive settlement proposal submitted to us one year ago.

Through the EULEX Kosovo mission and the International Civilian Office, the European Union will be able to monitor respect for those provisions and to contribute to the consolidation of democratic institutions and the strengthening of the rule of law. Our project, building a multi-ethnic and democratic Kosovo that must reinforce regional stability with the active support of the international community, is fully consistent with international law and the relevant international documents, including resolution 1244 (1999).

The Secretary-General has taken note of the significant endeavour being embarked upon by the European Union. We look forward to continuing to work with the Secretary-General, building on the impressive contribution the United Nations has made to Kosovo in the past eight and half years of administration. Our goal is, as I have already said, to establish an appropriate multi-ethnic framework in which the rights of all communities are upheld and democratic institutions are built based on the rule of law.

We call upon all parties involved to approach these matters constructively, and we urge all sides to

stand by their commitments to maintain peace in the region and to avoid violence, threats or intimidation. We welcome the commitments expressed in Kosovo's declaration of independence, to "protect and promote the rights of all communities in Kosovo" and to act consistent with principles of international law and resolutions of the Security Council, including resolution 1244 (1999), as well as the full acceptance of the obligations for Kosovo contained in the plan set out by Special Envoy Ahtisaari. We welcome Kosovo's invitation to an international civilian presence to supervise the implementation of the Ahtisaari plan and to the international military presence to continue to play its role to ensure Kosovo's future peace, prosperity and stability.

We also stress Italy's strong appreciation, gratitude and support to the Secretary-General, along with the Special Representative and UNMIK, for their continuing efforts. We fully trust in his good judgement on how to deal with the process under way, which is crucial in order to continue providing overall safe and orderly conditions for all communities in Kosovo.

Italy has a large military contingent operating in the International Security Force in Kosovo, and is set to become one of the main contributors to the EULEX Kosovo mission. We strongly support the Organization for Security and Cooperation in Europe and all the international organizations active on the ground. We must work together to ensure for Kosovo a stable and democratic future, in which all communities live peacefully and prosper together.

Italy will continue to actively promote regional stability and a European future for all countries of the Western Balkans. Serbia is an essential factor in this strategy. A stable and prosperous Serbia, fully integrated into the family of European nations, is essential for the stability of the region. The European Union is the long-term solution to the Kosovo issue. The European Union is the goal that Serbia also must achieve.

Mr. Natalegawa (Indonesia): At the outset, allow me to join others in welcoming His Excellency Mr. Boris Tadić, President of Serbia, and in thanking him for his important statement. We also wish to warmly acknowledge the participation of the Secretary-General, His Excellency Mr. Ban Ki-moon.

The latest development in Kosovo is a source of profound concern to our delegation. Certainly, we are mindful of the view regarding the unique character of the Balkan region. We are not oblivious to the fact that the issue of Kosovo is inseparable from the process of the break-up of the former Federal Republic of Yugoslavia. Above all, we sympathize with the recent sufferings of the people in Kosovo.

The Kosovo issue has certain unique qualities. However, it could be argued that all issues that are on the agenda of the Council have their own unique character. For Indonesia, however, they share one overriding and fundamental quality, namely, that for all these issues, dialogue and negotiations must be the preferred option for their resolution.

Indonesia therefore regrets the failure to reach a solution on Kosovo through dialogue and negotiation, resulting in the unilateral declaration of independence by Kosovo. That declaration has come despite the call by many Council members, including Indonesia, for a continuation of dialogue and negotiation.

From the very outset, the Government of Indonesia has supported all efforts to address the question of the final status of Kosovo in a peaceful manner, through dialogue and negotiation. We maintain our strong belief that a mutually acceptable agreement emanating from that process will better guarantee peace and stability in the region. It also offers the best promise of preventing new tension or conflict in the Balkan region.

We hear the view of those who contend that the status quo has become untenable. Indeed, we understand that view. Most important, the parties directly affected themselves appear to be mindful of that fact. The direct talks between Belgrade and Pristina were, after all, designed to address this situation. While the process has yet to yield the desired result, we do not believe that all avenues for a negotiated outcome have been exhausted. Commitment, good faith and, most of all, patience are, after all, key prerequisites for successful negotiations. Here, we speak from experience.

It is difficult to comprehend the readiness to declare the talks to be exhausted. We are reminded of other seemingly intractable issues before the Council where patience and perseverance in the pursuit of negotiated outcome is counselled. Dialogue, negotiation and reconciliation, not might, have alleviated the challenge of prolonged conflict. Only through this avenue of peace will new tensions — or

worse still, armed conflicts — not occur in the Balkans. We should embrace this avenue instead of giving in.

The potential implications of the forcible decision on final status become especially poignant when set against the principles enshrined in the United Nations Charter and reaffirmed by international law, namely the cardinal principles of the sovereign equality and territorial integrity of all States Members of the United Nations. Those well-tested principles serve to guide interactions among States and nations in order to maintain a stable and peaceful international system. Those paramount principles have to be consistently upheld by all Member States.

The Government of Indonesia will closely follow developments on Kosovo. It will carefully consider the full implications of the declaration, in the full light of the principles and realities I mentioned earlier.

Indonesia expresses its deepest hope that Kosovo's declaration of independence will not cause new tension and open conflict. The tragic history of the Balkan region should provide the Council with the insight necessary to chart its course in a careful and measured manner.

In shouldering its Charter-mandated responsibilities, the Council should, at the minimum and as a matter of urgency, transmit a clear message to all the parties to exercise restraint and remain calm. The Council should also make it clear that it continues to be seized of the issue and that it will closely monitor developments in the region. Not least, the Council must inform itself fully and build a common and shared understanding of the impact that this latest development could have on the work and policy of the current and legal administrator of Kosovo, namely the United Nations Interim Administration Mission in Kosovo. The Security Council should ensure that the provisions of the United Nations Charter and Council resolution 1244 (1999) are fully respected. Uncertainty and lack of clarity on this issue would not be helpful at all.

Indonesia has always believed that the Council should be at the forefront on any issue pertaining to international peace and security, as mandated by the Charter. Time after time, the Council has been able to react in a proportionate and careful manner on various global issues. It has made a difference. This is one of the global issues that we, the Council as a whole, simply do not have the luxury of time to remain indecisive and to stand on the sidelines.

We have always believed that the diverse composition of the membership of the Council can provide a nuanced and all-embracing view of the world. Members of the Council representing the diverse views of all regions can assist the Balkan region to come to terms. In this regard, the Council has to maintain its cohesiveness and exercise its leadership. The international community is attentively watching the Council in addressing this issue.

In conclusion, even at this juncture, we will continue to espouse the need for dialogue and a negotiated solution within the framework of Council resolution 1244 (1999) and international law.

Sir John Sawers (United Kingdom): Let me join others in welcoming President Tadić back to the Security Council today. The presence of the Secretary-General is also very welcome.

The Security Council meets today in unusual circumstances. A new State has been established in Europe against the wishes of its former parent State and against the wishes of a permanent member of the Council. That new State has been recognized today by many Governments in Europe and beyond, including my own. Formal letters of recognition have today been delivered to the President of Kosovo by British Government representatives.

It is important to understand how this came about and to understand why the events of recent months, of yesterday and today, and of the weeks and months to come are inevitable as well as exceptional. At the heart of today's controversy is a resolution adopted at this table in June 1999. In that resolution, the Council took an unprecedented step: it effectively deprived Belgrade of the exercise of authority in Kosovo. It did so because the then regime in Belgrade had not just unilaterally deprived Kosovo of its powers of self-government, thereby triggering a rebellion; it had tried in 1999 to expel the majority population from the territory of Kosovo. Hundreds of thousands of men, women and children were driven from Kosovo by the State security forces of Slobodan Milosevic. People being herded onto trains provoked images from the 1940s. The events of 1999 shape the events we see now.

In resolution 1244 (1999) the Security Council recognized that the human rights of the people of Kosovo and the stability of the region could be secured only if Serbia did not govern Kosovo. It established a United Nations mission to serve as Kosovo's interim government. That mission had two crucial tasks: first, to help Kosovo establish its own institutions of self-government and to pass authority progressively to those institutions; and secondly, to facilitate a process to determine Kosovo's future status, taking into account the Rambouillet accords, which had specified that such a settlement had to be based on the will of the people of Kosovo. Resolution 1244 (1999) placed no limits on the scope of that status outcome, and paragraph 11 (a) of the resolution is clear that the substantial autonomy which Kosovo was to enjoy within the Federal Republic of Yugoslavia was an interim outcome pending a final settlement.

Within two years of the resolution's adoption, a new, democratic, Government came to power in Belgrade. That Government and its successors have wrestled with the legacy of Milosevic's war crimes. They are right to argue that they should not be punished for those crimes. But equally, they have a duty to help resolve the problems caused by Milosevic, and they must accept that the legacy of Milosevic's oppression and violence has made it impossible for Kosovo to return to control by Belgrade. When, in the middle of the final status process, the Government of Serbia changed its constitution to exclude any future for Kosovo outside Serbia, it effectively ended any chance of a negotiated settlement. The international community cannot be party to a settlement that is opposed by more than 90 per cent of the territory's population. Apart from anything else, that would be contrary to our overriding priority of upholding peace and security.

My Government is convinced that the proposal of the United Nations Special Envoy for supervised independence, which the Kosovo Assembly has embraced and committed itself to implement, is the only viable way forward. It commits Kosovo to protect its minority populations. Other than the Kosovo Serbs, all of them — the Roma, Jews, Turks and others — have endorsed the Ahtisaari plan. That speaks for itself.

The United Kingdom urges Kosovo's Serb population to play a full part in the political, economic and social life of Kosovo. The United Nations Mission, the European Union (EU) and NATO will work to ensure that the commitments made by Prime Minister Thaci on 17 February and the far-reaching provisions to protect minorities in the Ahtisaari plan are implemented in full. Kosovo's progress towards the European Union will depend on, inter alia, how well it treats its minorities.

We also expect the Serbian authorities and Kosovo Serb leaders to take no action to promote the separation of the north of Kosovo from the rest of the country. Excluding Kosovo's Government from majority-Serb areas of Kosovo will not be accepted. Kosovo Serb leaders should work with the Government in Pristina and with the international presences.

The Ahtisaari plan also commits Kosovo to accept extensive and continuing international supervision. NATO has agreed to continue to provide security in Kosovo, and the European Union has agreed to deploy a rule-of-law mission to oversee the buildup of Kosovo's capacity in this crucial area.

One delegation has sought to argue that the European Union mission can deploy only with the express agreement of the Security Council. The United Kingdom disagrees. The EU has been part of the international civilian presence in Kosovo from the outset. The United Nations Mission has evolved and developed over the past nine years, adapting to changing circumstances within its original broad mandate without requiring any new decisions from the Council. I do not want to repeat once again our views on the legal position but for the sake of clarity they are attached to the circulated copy of my statement.

The European Union is committed to a better future for the region as a whole. My Government applauds the European vision for Serbia that President Tadić has consistently displayed. As the European Council said in December 2007, a stable and prosperous Serbia, integrated into the family of European nations, is important for the stability of the region. That is the future open to Serbia, and my Government calls on its leaders to look ahead and to focus on that prize.

More immediately, we call on Serbia's leadership — religious as well as political — to encourage restraint, to refrain from provocative words or actions and to desist from punitive measures or threats against Kosovo. We are concerned about the violent demonstrations against some embassies in Belgrade and about the attacks on international offices in North Mitrovica.

I began by saying that the Security Council was facing an extraordinary set of circumstances. It is not ideal for Kosovo to become independent without the consent of Serbia and without consensus in the Council. My Government believes that the unique circumstances of the violent break-up of the former Yugoslavia and the unprecedented United Nations administration of Kosovo make this a sui generis case that creates no wider precedent — a point that all EU member States agreed upon today.

My delegation hopes that the Security Council, in the weeks and months to come, can recover its unity of purpose on this issue and that the United Nations on the ground will continue to make its contribution to stability, security and prosperity in the Balkans alongside the European Union, NATO and others, with the active backing of the Security Council.

Mr. Le Luong Minh (Viet Nam): Once again, the Security Council is meeting to discuss an emergency situation created by the unilateral declaration of independence by the province of Kosovo from the Republic of Serbia. I thank Secretary-General Ban Ki-moon for his report on the situation. I also thank His Excellency Mr. Boris Tadić, President of the Republic of Serbia, for his statement.

As a State Member of the United Nations and a member of the Security Council, Viet Nam has been consistent in its position that any solution to the issue of Kosovo, including the issue of its future status, must be based on the fundamental principles of international law, the United Nations Charter and the provisions of resolution 1244 (1999), adopted by the Council with the consent of the parties concerned. All fundamental principles of international law and of the Charter are important because they are fundamental. Among the most important of those principles is that of respect for the sovereignty and territorial integrity of States.

It should be recalled that resolution 1244 (1999), while providing for a future status for Kosovo to be negotiated and agreed upon by the parties concerned, reaffirmed the commitment of United Nations Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia — of which the Republic of Serbia is now the successor State — and of the other States in the region.

Proceeding from that position, Viet Nam has persistently urged the parties concerned to engage, with the support of the international community, the United Nations and, until recently, the Troika comprising the United States, Russia and the European Union, in good-faith dialogue and peaceful negotiations to resolve their differences and arrive at a durable comprehensive solution conforming to the fundamental principles of international law, the United Nations Charter and the provisions of Security Council resolution 1244 (1999), in the interests of peace and stability not only in Kosovo, but also in the rest of the Balkans, in Europe and throughout the world.

In the context of the earnest appeals by the international community and many United Nations Member States, including many members of the Security Council, for continued efforts to reach a negotiated settlement, Kosovo's unilateral declaration of independence was not in conformity with resolution 1244 (1999) and will only add to the tension in Kosovo and the Balkans and deepen division in Europe. By creating a dangerous precedent, this development has negative implications for international peace and security. The prompt reactions in the Balkans, in the very heart of Europe and in the rest of the world attest to those worries.

Viet Nam will continue to follow the situation closely. We call upon the parties concerned to act responsibly, to exercise restraint, to refrain from acts of violence and to undertake measures to protect civilians and United Nations personnel carrying out their duties on the ground. We urge the United Nations Interim Administration Mission in Kosovo to provide such protection in the implementation of its mandate.

Mr. Ettalhi (Libyan Arab Jamahiriya) (*spoke in Arabic*): I should like at the outset to welcome to the Security Council His Excellency Mr. Boris Tadić, President of the Republic of Serbia. I also wish to welcome the presence of His Excellency the Secretary-General, Ban Ki-moon, at this meeting and to thank him for the information that he has provided to the Council.

My country hopes that Kosovo's unilateral declaration of independence yesterday will not signal a return to what the Balkan region experienced during the 1990s, when the former Federal Republic of Yugoslavia was dissolved amid violence and threats of violence. We are full of hope, particularly since both parties have reaffirmed their resolve to follow the path of a peaceful and negotiated settlement. Both parties should be reminded that, unfortunately, the recent

developments that led to Kosovo's declaration of independence can be traced back to a failure to respect the legitimate rights of minorities, a lack of respect for basic freedoms and the use of force instead of dialogue and reconciliation.

Perhaps at this juncture it would be useful to once again renew our call to both parties, at this critical and important stage in their history, to avoid any provocative action and to remain committed to what they have repeatedly pledged before the international community, that they would renounce violence or incitement to violence. We welcome the renewed pledge by His Excellency President Boris Tadić and his reaffirmation that they will not resort to violence and that Serbia will always follow a policy of peace as a source of its strength. We wish to welcome the pledge by Kosovo officials that they will implement the Ahtisaari plan in terms of minority rights and guaranteeing their security and that they will work to provide all necessary conditions for the sustainable return of internally displaced persons, to maintain freedom of movement, protect rights and correct any illegal situations.

My country calls upon the friendly State of Serbia to refrain from any actions that would have a negative impact on the already difficult living conditions of Kosovo citizens, because such actions would only deepen the gap that was created by practices that Kosovars suffered at the hands of Serbia's former rulers. Everyone must work on bridging that gap instead of widening it — regardless of bitterness at this stage.

Libya has been, and always will be, supportive of complete commitment to the principles of justice and to international law, which stipulates complete respect for the sovereignty and territorial integrity of all States. We wonder how our world would be today if those noble principles, entrenched through centuries of sacrifice and pain, were forfeited.

We are confronted with an exceptional situation in an exceptional region in an exceptional time, during which a certain group — unfortunately, for cultural and ethnic purposes — has suffered from repercussions of blind violence, ethnic cleansing and deprivation of the most basic of their rights. That has led to intervention in order to put a stop to those inhuman practices, and it led to the developments that have just taken place.

My country cannot accept that the situation before us today constitutes a precedent in order to undermine the territorial integrity of States. I do not think we are alone in that. This Council must state its complete abidance with respect for the territorial integrity of States, and that what has taken place, regardless of developments that might ensue, cannot constitute a precedent to be used as a term of reference or as an excuse.

Mr. Kafando (Burkina Faso) (*spoke in French*): First, I wish to welcome the presence of the President of the Republic of Serbia and the Secretary-General.

Once again, we are called on to debate Kosovo. This proves the great importance and, above all, the complexity of the problem, and its urgency as well, because of the events that have been taking place quickly since yesterday. After so much time in lengthy talks and negotiations on all fronts, we thought the management of this issue would lead to a satisfactory outcome — that is, understanding among the parties, who would then have maintained the unity of Serbia and sealed the peaceful coexistence between Serbs and Kosovars. Such an outcome would also have been a victory for the international community and a victory for peace. That is the action that my country advocated, convinced that in any conflict situation everything must be tried to make the advantages of dialogue prevail.

Unfortunately, that is not what happened because of the unilateral declaration of independence of Kosovo. We regret, once again, that Serbs and Kosovars, who, whatever one might say, have coexisted for a long time, were not able to overcome their contradictions and preserve the tolerance on the basis of which they might have built a strong and viable State. My delegation also regrets the fact that all the efforts that the United Nations invested in that cause, through action by the United Nations Interim Administration Mission in Kosovo, have not been fruitful.

Obviously, Burkina Faso can only take note of the new situation. We still feel that we have to fear the consequences, and that is why we call on the sense of responsibility of all to avoid any violence in order to preserve peace and security, as well as the basic rights of all communities.

It would seem that we are already seeing some actions that are somewhat violent. We hope they will

not spread and that they will be quickly reined in so that a conflagration can be avoided. Above all, it is our common responsibility to prevent any threat to peace that might lead to such a situation.

Mr. Kumalo (South Africa): My delegation wishes to welcome the President of the Republic of Serbia, His Excellency Mr. Tadić, and the Foreign Minister, Mr. Jeremić, to the Council. We thank President Tadić for his briefing to this emergency session, which we fully support. My delegation also wishes to welcome the participation of the Secretary-General in this meeting today.

The South African Government has taken note of the unilateral declaration of independence by the assembly of the Provisional Institutions of Self-Government of the Serbian province of Kosovo. We regret that such a step was not taken in conformity with a legal and political process envisaged by Security Council resolution 1244 (1999).

Throughout the debates on Kosovo, South Africa has consistently reiterated the principle of peaceful political dialogue in the resolution of conflicts. We have stated that it was difficult, in the light of our own national experience, to accept that negotiations, no matter how difficult, could not lead to an amicable conclusion. Even at this late hour, we still believe that there remains space for dialogue and negotiation that could help contribute to long-term peace in the Balkans.

South Africa, as a Member of the United Nations, as a member of the Non-Aligned Movement and as a member of the African Union, upholds and promotes the principle of the territorial integrity of States. It is clear that the current developments in Kosovo have serous implications for the international community. South Africa will study their political and legal implications.

The unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo presents the international community with a serious challenge. In view of this, South Africa will remain seized of this complex matter.

Mr. Jurica (Croatia): Let me first of all welcome the presence among us in this Chamber of His Excellency Mr. Boris Tadić, President of the Republic of Serbia. I also express thanks to the Secretary-General for his statement on the situation in Kosovo.

Yesterday's events have created a new political reality in South-East Europe. The Kosovo Assembly's decision to declare independence should not be seen in isolation either from the recent history of the region or from the prospects that the future offers to both Serbia and Kosovo. This should be our point of departure: all along, Kosovo has been a unique, sui-generis case that requires unique solutions.

Croatia, for one, has consistently expressed hope for a negotiated solution. It is disappointing that, after many rounds of talks, no substantive progress has been reached, thus making the hope of an agreed settlement ultimately futile. The attempts of the Security Council to agree on a way forward have been equally unsuccessful. However, our previous debates demonstrated one thing: that we all share a desire to see the region stable and prosperous.

The new political reality in South-East Europe commands our full attention. Croatia has taken note of Kosovo's commitment to the principles of democracy and equality for all its citizens, and of its full acceptance of the obligations contained in the comprehensive proposal for a Kosovo status settlement, including those establishing a multi-ethnic framework and those concerning the international supervision of Kosovo. My Government will closely follow developments on the ground.

As a country in the process of accession to the European Union, Croatia will continue to harmonize its foreign policy decisions with the European Common Foreign and Security Policy, and will take into account the views expressed by the international community, including the European Council's conclusions on Kosovo of today, 18 February 2008.

The recognition of independence is a sovereign decision of each individual State. My Government will initiate the procedure in accordance with the Croatian constitution, following a thorough analysis of all relevant facts and of the implications of Kosovo's declaration of independence.

We believe that both parties, as well as the international community, should seize this opportunity to work towards advancing the development of a multi-ethnic and democratic Kosovo, thus contributing to the sustainable peace, prosperity and stability of the region as a whole. The role of the international community remains indispensable in that regard.

As we have stated previously, Croatia supports the readiness of the European Union to play a leading role in Kosovo and recalls that members of the Security Council have repeatedly underscored the unmistakably European dimension of this issue. The recent deployment of the European Union Rule of Law Mission in Kosovo, which we see as deriving from the provisions of Security Council resolution 1244 (1999), should be seen in that light.

Neither the actors directly involved nor the region itself should be left to tackle this problem alone. It is our common responsibility to help Kosovo stay the course charted over the past eight years.

On the other hand, there is no doubt that a democratic and stable Serbia would be warmly embraced by the international community, and particularly by the European Union.

Croatia itself has every interest in living side by side with peaceful and prosperous neighbours, and we will strive to make a constructive contribution to the advancement of cooperation and well-being in the region. It is the common goal of all the countries in the region to speak with one voice of freedom, democracy, human rights, stability and security in the region and a common European perspective. That is, after all, the common future of the whole of South-East Europe.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I wish to begin by welcoming among us President Tadić and Foreign Minister Jeremić, and by reaffirming Costa Rica's recognition of their positive leadership and their commitment to peace. Leadership like theirs — committed to peace and human rights, especially the rights of minorities — could perhaps have prevented the tragedies whose echoes have given rise to today's meeting. We are confident that, under the leadership of President Tadić, the difficult situation in Serbia and the wider Balkans will be overcome, to the benefit of all the peoples of the region.

We also welcome the presence among us of the Secretary-General and we thank him for his presentation.

Kosovo's declaration of independence has been a source of tension within the Security Council. Costa Rica would have preferred that not to be the case and would have preferred the matter to have been resolved through dialogue between the Serbian and Kosovo authorities. We regret that conditions did not permit a definition of the final status of Kosovo that would have been acceptable both to the parties and to the Security Council. The fact is that today, almost nine years after the adoption of resolution 1244 (1999), we find ourselves with a fait accompli. That should surprise no one: for months, the international community has known that this day would come.

In the Council today, Costa Rica must take a position consistent with its record within the United Nations — a position that can make a contribution to the cause of peace and security in the Balkans, to the welfare of the region's inhabitants and to the integrity of international law. We are conscious of our responsibilities, and we have carefully analysed the legal arguments made by those who support Kosovo's declaration of independence and by those who call for its nullification. We understand the logic behind both lines of reasoning, and we recognize the good intentions of those supporting both positions. We know that this is not a sordid struggle for power, for strategic position or for access to precious resources. We recognize an ethical motivation in both parties.

However, the circumstances oblige us to take a position and shoulder our responsibility, and we have done so. My Government has taken the decision to recognize Kosovo's independence. We are convinced that resolution 1244 (1999), the 1999 general principles on a political solution to the Kosovo crisis set out in annexes 1 and 2 of that resolution, and the Interim Agreement for Peace and Self-Government in Kosovo contain sufficient legal foundations to enable us to recognize the independence proclaimed yesterday.

We believe that with this recognition, we are responding primarily to the will of the people of Kosovo — a people who find it impossible to live together with the Serb majority in the same country after the 1998 campaign of ethnic cleansing, as their Prime Minister indicated to us in this very Chamber. That is a reality that Costa Rica cannot ignore and that the membership of the Organization must take carefully into account.

We continue to hope that, living in two different countries, Serbs and Kosovars will be able to more swiftly build together a mutually beneficial relationship of respectful coexistence and cooperation. We hope that, together, both of their countries will respect international law and protect the human rights of all their inhabitants, particularly minorities. We also

believe that we are contributing to the progress and well-being of the people of Kosovo, who, like the people of Serbia, should find a better future within the European Union.

The international community must shoulder its responsibility and act with solidarity within the framework of international law, including the provisions of resolution 1244 (1999). We all must strive to ensure that what brought us together here today is the end of a painful chapter in the history of the Balkans, not the prologue to a new drama. We also believe that international peace and security will be better served through this bi-national and multi-ethnic plan.

We are acting out of the conviction that our reasoning is correct. We do not want our position today to have negative consequences for anyone. Nor do we want this conduct to be invoked in the future as a precedent that undermines the integrity of international law. To the best of our ability, we will seek to ensure that that does not happen.

Mr. Khalilzad (United States of America): Like colleagues who have spoken before me, I would like to welcome President Tadić once again to the Security Council. We are also pleased to see the Secretary-General here. And I welcome the new Ambassador of Croatia to the Council and look forward to working with him.

In exercise of its sovereign rights, the United States has today recognized an independent and sovereign Kosovo. Our recognition was communicated by President Bush to the President of Kosovo a few hours ago. We congratulate Kosovo and welcome it to the family of nations.

I would like to make three points today. The first concerns how we got to where we are. Kosovo's independence is the culmination of a long, unique process caused by Yugoslavia's violent, non-consensual break-up. Throughout the 1990s, war wreaked havoc throughout the former Yugoslavia. Towards the end of the decade, the Serbian Government of Slobodan Milosevic brought ethnic cleansing to Kosovo. Responding to that humanitarian disaster and clear threats to international peace and security, NATO led a military intervention that stopped the violence and brought peace to Kosovo.

The Security Council solidified that peace by adopting resolution 1244 (1999) in June 1999 — an unprecedented resolution that provided for an interim political framework and circumscribed Serb sovereignty in that territory, and that called for the determination of Kosovo's final status. There was much effort to reach an agreement between the two sides, Kosovo and Serbia, on final status. Belgrade and Pristina negotiated for more than two years to resolve the status of Kosovo, first facilitated by Special Envoy Martti Ahtisaari and then by a Troika comprising the European Union, Russia and the United States. Those intensive efforts left no stone unturned. But the parties could not reach agreement, confirming that their positions on the fundamental question of status were irreconcilable.

President Ahtisaari, on behalf of the Secretary-General, recommended that Kosovo become independent, subject to a period of international supervision. He was convinced that uncertainty over its future status had become a major obstacle to Kosovo's democratic development, that the United Nations Mission in Kosovo had exhausted its potential to facilitate further progress, that Kosovo's estrangement from Serbia was irreversible and that only an independent Kosovo could produce the fully mature democratic institutions needed to realize his vision. We continue to accept Mr. Ahtisaari's wisdom.

Much to our regret, the Council was blocked from adopting a draft resolution endorsing that plan, which would have helped facilitate Kosovo's path forward. As United Nations Envoys Kai Eide and Martti Ahtisaari, a series of Special Representatives of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Secretary-General himself told us repeatedly, this interim status quo was unsustainable. The people of Kosovo have therefore decided to bring the issue to a close themselves. They did so in a mature, non-violent and responsible manner.

Kosovo's declaration of independence is a logical, legitimate and legal response to the situation at hand. Kosovo's declaration is fully consistent with resolution 1244 (1999) and expressly recognizes that that resolution will remain in force.

The recognition of Kosovo's sovereignty by a substantial number of European Union Governments, the United States and countries in other regions on the first day since Kosovo declared its independence has

ensured that that fact is irreversible. Our collective efforts must now focus on working constructively with Kosovo and Serbia to help them turn a new page.

Secondly, let me address legal concerns and the issue of precedent. Resolution 1244 (1999) rendered Kosovo unique by requiring the Federal Republic of Yugoslavia to withdraw its military, paramilitary and police forces from Kosovo and to place Kosovo under interim United Nations administration, effectively replacing Belgrade's governance of Kosovo.

I understand the concern of some that Kosovo's independence could be cited as a precedent in other parts of the world. But the reality is that Kosovo is clearly a special case and has been treated as such by the United Nations since 1999. As we have noted repeatedly, the violent and non-consensual break-up of Yugoslavia; Milosevic's policies of repression and ethnic cleansing, which led the international community to act; the adoption of Security Council resolution 1244 (1999), under which Serbia has long been prevented from exercising normal governmental authority in Kosovo; and the United Nations-facilitated political process to help determine Kosovo's future status are all factors that make the situation in Kosovo different from other conflicts or situations and one that does not set a precedent for other regions. My country's recognition of Kosovo's independence is based upon the specific circumstances in which Kosovo now finds itself. We have not, do not and will not accept the Kosovo example as a precedent for any other conflict or dispute.

Thirdly, let me talk about the future. Kosovo now stands at an important threshold in its development. Fortunately, Kosovo has a blueprint, the Ahtisaari plan, for its path to becoming a functional, multi-ethnic and democratic country. Kosovo's embrace of the Ahtisaari plan and the commitment, contained in its declaration of independence, to the highest principles of the United Nations Charter are heartening. Kosovo has said that it seeks to become a responsible, peace-loving State. It is time for Kosovo to take its rightful place among the community of nations as a democratic, secular and multi-ethnic State. We will work together to help Kosovo realize the commitments that it has freely undertaken, including the commitment to protect the rights of its ethnic minorities, and to ensure that the entire region of South-East Europe can move forward towards a democratic, prosperous and stable future.

In that regard, the European Union has made an extraordinary offer to help Kosovo develop its rule of law sector and implement reforms required for European Union membership. The United Nations should welcome that offer of support. New international presences are required to protect the substantial United Nations investment in Kosovo and preserve the legacy of the United Nations there.

I want Kosovo to know that the United States will stand with it as it assumes responsibility for its destiny.

To President Tadić, we express today our strong desire to maintain and strengthen our relationship with Serbia, a historical friend and ally in two world wars. We understand that the independence of Kosovo is difficult for Serbia to accept. We can assure you, Mr. President, that the United States wishes to work with you and that it will be a strong supporter to you as you pursue a path towards Europe.

To others at this table and in this Chamber, I urge that we come together. The time for scoring political points is over. Together, we should encourage negotiations between Belgrade and Pristina to normalize diplomatic, social and economic relations. We can best promote stability in the Balkan region by effectively encouraging such normalization and encouraging them to meet the standards for European Union membership. I know that will take time. We should be prepared to do our part to help them. The United States is prepared to do its part.

Mr. Ripert (France) (*spoke in French*): I would like to join others in thanking the Secretary-General for being with us here and for his very clear presentation of the situation in Kosovo. I would also like to thank Mr. Tadić, President of the Republic of Serbia, for being here. We salute his firm commitment to democracy and to his country's European integration.

Kosovo declared its independence yesterday. Pursuant to international law, it is up to each State to decide whether or not to recognize the new State. In a letter sent to the President of Kosovo, the President of the French Republic, Mr. Nicolas Sarkozy, has just, effective immediately, recognized Kosovo as a sovereign and independent State, in full accordance with the statement by European Ministers for Foreign Affairs issued today in Brussels. Other recognitions, especially on the part of the great majority of our European Union partners, have taken place or will take place in the days and weeks to come.

We now face a new reality, which no doubt will be taken into account by the Security Council and the Secretary-General. Once again, we should recall that this is a unique situation, since it marks the outcome of a particular historic process: the break-up of the former Yugoslavia during the 1990s, followed by a period of international administration under United Nations auspices. The nature of the common European perspective offered to Kosovo and Serbia is also specific to the situation in question.

Faced with this new reality, the international community must shoulder its responsibilities by ensuring, in the immediate future, that the process under way takes place in a calm manner, without violence, avoiding any destabilization of Kosovo or of the region. The protection of the population, especially the minorities in Kosovo, is a common priority for the members of the Security Council. We note that calm is, in fact, prevailing on the ground in spite of a few isolated incidents, and we welcome in that regard the responsible approach adopted during this crucial period by the parties, in particular the Serb authorities, as has just been shown again by President Tadić before the Council.

We should remain extremely vigilant, in order to avoid any backsliding. We call upon the Security Council to give its full support to the Secretary-General in this task, because the United Nations, in particular the United Nations Interim Administration Mission in Kosovo (UNMIK), with the support of the International Security Force in Kosovo (KFOR), will bear the primary responsibility for maintaining order in the period ahead.

The European Union, as it has already announced, will assume its responsibilities in helping to settle this issue. In particular, it has decided to send, in full accordance with international law and within the framework of resolution 1244 (1999), a substantial police and justice mission to Kosovo. The presence of the European Union will allow us to supervise the emergence of a Kosovo that is genuinely multi-ethnic and democratic, pursuant to the provisions of the Ahtisaari plan. It has an essential role to play in protecting all the communities living in Kosovo. It will be particularly vigilant in ensuring that the Kosovar authorities fully implement the commitments entered into for the protection of the rights of minorities, especially the Serbs, and of their cultural and religious heritage.

To that end, the European Union will continue to cooperate with the United Nations, KFOR, the Organization for Security and Cooperation in Europe and the other international actors involved. For its part, France will strengthen its commitment beyond the 2,000 soldiers already deployed as part of KFOR, in order to help Kosovo make rapid progress towards the establishment of the rule of law and of good relations with all of its neighbours.

In re-electing President Tadić in January's presidential elections, the Serb people vigorously reiterated their determination to include the process of integration into the European Union in their future. We are very pleased that the Serb people have chosen Europe. It is in line with our conviction that the future of the Western Balkans lies in the European Union and that Serbia's progress towards the European Union can be accelerated. We hope that the conditions set out for the European rapprochement of Serbia will soon be met, so that Serbia will be able to proceed through the necessary stages for the recognition of its status as a candidate. A European future for the peoples of the Western Balkans within the framework of the European Union is the best measure of their reconciliation following the tragedies of the previous decade.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as representative of Panama.

At the outset, allow me to welcome the President of Serbia, Mr. Boris Tadić, and his Minister for Foreign Affairs, Mr. Vuk Jeremić. I would also like to thank the Secretary-General for his presence at this most important meeting of the Security Council.

Regarding the topic before us, which focuses on Kosovo's unilateral declaration of independence, we reiterate that Panama would always have preferred for the parties to reach a negotiated way to resolve their differences. Such outcomes are of particular value if we compare what has taken place with the requirements of the times we live in. The time for thinking about secession is behind us, and the emphasis is now on finding options involving multi-ethnic and regional integration. We regret that that did not take place, but we accept that events have created a new reality, which several States, in particular in Europe, accept as valid.

Looking at this socio-political reality, we must all give priority to developing peaceful coexistence among human beings, over and above geo-political interests.

Such peaceful coexistence is particularly important in a globalized world where traditional physical borders are increasingly less important; a world where the circulation of goods, ideas and people is more intense every day; a world in which, although some still try to deny it, we cannot live without each other. This is why the United Nations now promotes important initiatives to bring about understanding, rapprochement and cooperation among diverse cultures, ethnic groups and religions.

This is why we appeal to the leadership in Serbia and in Kosovo to rise above past conflicts, to recognize reality and to seek, however difficult this may be, the necessary mechanisms to bring about peaceful coexistence among their inhabitants and with their neighbouring countries. In this context, we have taken note of the declarations of the parties about not using violence as a way to defend interests or resolve differences.

At another level, Panama has always been concerned, and has stated this before, that what occurred in Kosovo should not be used as an example in other situations that appear to be similar. Nevertheless, we must not and we cannot forget that Kosovo enjoyed an autonomy very much like the autonomy of the old republics of greater Yugoslavia, and an attempt was made to deprive it of that autonomy; that Kosovo has been administered for over eight years by the United Nations under a regime of growing self-government; and that a significant majority of the Governments in the region have expressed the intention to recognize Kosovo's declaration of independence.

This being so, we appeal to the European Union, and particularly to the countries that have supported the declaration of independence of Kosovo, to make sure that today's political secession is soon resolved within that Union through the prompt incorporation of both Serbia and Kosovo within that regional organization.

We feel compelled to refer to Security Council resolution 1244 (1999). However much we attempt to gloss over the fact, its mandate has been overtaken by the realities that we see today. This is undeniable, as is the fact that when it was adopted, unlike other mandates of the Security Council, no deadline was set. That, to a considerable degree, was the reason why Council members were not able to agree on how to adjust the mandate as circumstances required.

Let this be a lesson to us so that in the future all Council resolutions will have a clear deadline, so that the deadlines, instead of simply being extended, will be modified and readjusted to bring them into consistency with the realities they are trying to affect.

I now resume my duties as President.

I now give the floor to the President of Serbia, Mr. Tadić, at his request.

Mr. Tadić (Serbia) (*spoke in Serbian; interpretation provided by the delegation*): We agree that we do not live in an ideal world, a world in which justice prevails in each and every place. But we also agree that we cannot desist from pursuing what is just. Insisting on right today, the main question before all of us in the Security Council is whether we shall respect international law, the Charter of the United Nations and the sovereignty and territorial integrity of Member States — whether we shall respect the principles and values upon which the modern world rests. What happens if the principles and values on which this world has rested for quite a number of decades, since World War Two, are undone in one day? What happens to United Nations Member States?

Today, I defend the rights of Serbia and of the Serbian people. In defending the rights of my country, I defend general principles and general views — the rights of each and every small country whose sovereignty and integrity are threatened.

I quite agree that the status process before the United Nations cannot be blocked unilaterally, but this process has been blocked precisely by the decision of the Kosovo assembly to declare independence unilaterally. That is a unilateral act, a one-sided act. Serbia has not accepted such an act and will never accept such an act. The unilateral declaration of independence is not a compromise solution. It is an illegal violation. It is an act that undoes all the principles of international justice and all the principles on which the work of the Security Council is based, as well as that of the United Nations itself.

A decision based on compromise is not the Ahtisaari plan either. That plan rids Serbia of part of its territory. That plan rids Serbia of part of its identity.

The Ahtisaari plan is in the position of a solution, but one which the entire State of Serbia does not accept. The Ahtisaari plan has no legitimacy, especially in the parts of Kosovo in which Serbian people live as a majority.

Representatives of some member States of the Security Council feel that Kosovo should become independent because a large majority of its population wishes independence. Such an argument is neither logically nor legally justified.

I shall remind the Council that it knows very well that the large majority in all secessionist regions of the world want independence. If we were to establish this principle, the world of today would not have the same borders. Many new countries would be created, and stability in the entire world would be undermined. No region in the world would be able to avoid security risks, economic destruction and human casualties.

Many Security Council members have again said that Kosovo should be granted independence because of the crimes that took place during the 1990s, thus criminalizing the present authorities in Belgrade. But in the whole history of the Balkans, whoever held the power committed the crime. We should uphold common values and make an attempt, with respect to our common Balkan history, to do all possible to reconcile with each other.

As the twice democratically elected President of Serbia, I extended my apologies to all Balkan countries, against whom some committed crimes in the name of my people. I did so earnestly, with deep conviction in the common European future of the entire region. But I did not receive any apologies for the crimes committed against my people, and I am still waiting for their apology. That apology is also a prerequisite for our future.

I remind the Council of a simple fact: all Albanians who lived in Kosovo prior to the arrival of KFOR continue to live in Kosovo today, whereas two thirds of the population of Kosovo who lived in Kosovo before the arrival of UNMIK and KFOR do not live in Kosovo now. Today, 250,000 Serbs live in refugee camps in central Serbia. We all know that the independence of Kosovo means the legalization of ethnic cleansing. Each State that recognizes the independence of Kosovo legalizes, in practical terms, the expulsion of Serbs from their homes in the province of Kosovo. I am saying that clearly so that the Council knows the position of Serbia. I want to say it here, because truth is one of the values on which modern society should be based.

That is why I call on the Secretary-General, Mr. Ban Ki-moon, to implement clearly a legal measure to annul the act adopted by the Kosovo institutions without Serb participation and without the will of the Serbian people, who also have full rights in Kosovo, in Serbia, in the Balkans and in Europe. I also request that Mr. Rücker, the Special Representative of the Secretary-General, implement the binding powers defined in the Security Council's decision, to which the Council committed him.

I shall repeat: if Kosovo, in this illegal and unlawful way, becomes independent, from this moment on the world will not be the same. The only question is which country will next be affected by this new principle, this new precedent, this new illegal act.

I wish to point out in particular that Serbia, like other countries of the former Yugoslavia, experienced difficulties in the 1990s – the destruction of the culture and identity of all the peoples of the former Yugoslavia. Not much time has elapsed since that very difficult period, which surprised not just us, but the entire world.

I wish to point out that if regional States, especially those of the former Yugoslavia, recognize Kosovo, they thereby commit non-recognition of the territorial integrity of Serbia. Non-respect for borders was at the core of the conflict in the former Yugoslavia and caused the destruction of human life. It was also the cause of great violence, which pushed the entire region an entire decade backwards, forcing the region into economic backwardness. It needs to be borne in mind that such recognition would lead our bilateral relations to a lower level.

In no country of the former Yugoslavia has the respect for law been raised to the European level. All countries are aiming for that standard, believing in the civilized world and in a common European future. That respect has not been achieved in any country, not even in Croatia, which is a member of the Security Council. Here, I am thinking in particular of apartments owned by Serbs.

Members of the Security Council are obliged to help integration of the Balkans and not to instigate new conflicts and new disagreements. I shall never abandon

the integrity of my country, just as I will not give up the European future of my country and of the entire region.

I also wish to send a message to members of the Security Council that are members of the European Union. By recognizing Kosovo as an independent country, you are not helping the European future of Serbia. It is not a friendly act towards my country or to its contribution to Europe. By recognizing Kosovo, the entire region is pushed into instability and all countries will have a problem, because there are many Kosovos in the region.

Let me be quite clear. Serbia will not resort to violence. Serbia will remain lastingly committed to peace. Serbia is a legitimate democracy that has full right to be a member of the United Nations and the European Union. Serbia defends its right to Kosovo and Metohija by arguments based on its values, identity and democracy. It requests the right to protect its borders and its integrity. Serbia will not conduct a war. Serbia is a European culture and a legitimate democracy.

I call on the Council, before it takes an administrative decision, to think deeply. We wish the best relations with all countries of the world, but we do not expect that such acts as being deprived of parts of our territory and violation of our tradition, culture and borders can be understood by some countries as acts of friendship. We shall defend our interests legitimately, but at the same time the United Nations, the Security Council and the Secretary-General have obligations defined by international law, on which the entire world is based.

Serbia remains committed to peace. It remains a dignified Member of the United Nations. The Council can count on Serbia.

The President (*spoke in Spanish*): I thank President Tadić for his statement. I give the floor to the Secretary-General Mr. Ban Ki-moon, at his own request.

The Secretary-General: I have listened very carefully to the interventions made by President Tadić and all members of the Security Council. I would now like to make some brief further comments, especially with respect to key issues raised by delegations.

The situation today on the ground, as well as in the Security Council, is very different from the earlier period of the United Nations Interim Administration Mission in Kosovo (UNMIK). Within the mandate provided by resolution 1244 (1999), elements of international civil presence have, over the years, evolved to address differing needs and changing circumstances. That was introduced within resolution 1244 (1999).

As I have stated, the Secretariat continues to operate in Kosovo on the understanding that resolution 1244 (1999) remains in force unless the Security Council decides otherwise. I expect everyone in Kosovo to act in a manner consistent with the operational framework for the international civil presence established in accordance with resolution 1244 (1999).

As I noted earlier, I have taken note of the decision of the European Union (EU) to deploy a rule-of-law mission and an EU special representative. I would consider that an enhanced role of the EU in Kosovo would be assessed in the context of the overall concept of UNMIK operations, the objectives of the United Nations in Kosovo and the objectives of protecting the United Nations legacy in Kosovo and the Balkans. The imperative need to ensure peace and security in Kosovo obliges me to address the reality on the ground as it develops and in the light of the evolving circumstances.

As we seek to manage the situation on the ground, I would like in closing to underline to the members of this Council that my principal objectives are to ensure the safety and security of the population in Kosovo, with particular attention to the minority communities; to uphold international peace and security and the overall stability in Kosovo and regional stability; to ensure the safety of United Nations staff; and to safeguard the achievements and legacy of the United Nations in Kosovo and the Balkans.

The President (*spoke in Spanish*): We are grateful to the Secretary-General for his statement.

There are no more speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.35 p.m.